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Dated: November 3, 2003 Signature:

Hazel M. Raskowitz
(Hazel M. Raskowitz)

Docket No.: 397342000200
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Eric R. SCHUUR

Application No.: 10/028,174

Group Art Unit: 1636

Filed: December 20, 2001

Examiner: J. Ketter

For: NON-DESTRUCTIVE CELL-BASED ASSAY

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action (Paper No.: 0930) dated October 3, 2003. Applicant was given a one month period to respond to the Office Action, making a response due by or on November 3, 2003. Accordingly, this response is timely filed.

Restriction Requirement

The Office Action set forth a Restriction Requirement requesting Applicant to elect one of the following groups for prosecution on the merits:

Group I. Claims 1-14, drawn to a vector and host cells comprising same; and

Group II. Claims 15-27, drawn to methods involving detection of expression of reporter gene.